#9 2-13-02 P.Z.

09693754

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 13115)

O2 FEB - 7 PM 4: | |

In the Application of:

N. Berinstein; J. Tartaglia;
P. Moingeon; B. Barber

Examiner: A. M. Beckerleg

Art Unit: 1632

Filed: October 20, 2000

For: Method of Inducing and/or Enhancing
An Immune Response to Tumor Antigens)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

BOX DD Asst. Commissioner for Patents Washington, D.C. 20231

#### Dear Sir:

Applicants respectfully submit this Information Disclosure Statement, PTO-1449 and copies of the reference cited therein. This Information Disclosure Statement is in compliance with the duty of candor as set forth in 37 C.F.R. § 1.56. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing of the present application.

In the judgment of the undersigned, portions of the references may be material to the examination of the pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §102 or §103.

1

## CITED REFERENCES

RECEIVED TOH CENTER 1600/2900 02 FEB -7 PM 4: 11

## **U.S. Patents**

- 1. 5,348,887
- 2. 5,869,445
- 3. 5,994,132
- 4. 5,932,210
- 5. 6,057,158
- 6. 5,792,462
- 7. 5,739,026
- 8. 5,843,723
- 9. 5,789,245
- 10. 5,762,938
- 11. 5,378,457
- 12. 5,494,807
- 13. 5,505,941
- 14. 5,756,103
- 15. 5,833,975
- 16. 5,990,091
- 17. 5,756,103
- 18. 5,185,146
- 19. 5,364,773
- 20. 4,769,330
- 21. 4,722,848
- 22. 4,603,112
- 23. 5,110,587
- 24. 5,174,993
- 25. 4,882,278
- 26. 5,698,530
- 27. 5,874,560
- 28. 5,342,774

- 29. 6,235,525
- 30. 5,831,016
- 31. 6,083,783
- 32. 5,804,381

### **Foreign Patent Documents**

- 33. WO 98/14464
- 34. WO 95/29193
- 35. WO 97/34613
- 36. WO 98/33810
- 37. WO 99/19478
- 38. WO 98/58951
- 39. WO 98/02538
- 40. WO 97/29195
- 41. WO 96/21734
- 42. WO 97/11669
- 43. WO 97/34613
- 44. WO 98/33810
- 45. WO 95/23234
- 46. WO 97/26535
- 47. WO 97/15597
- 48. WO 96/40754
- 49. WO 99/18206
- 50. WO 95/04542
- 51. WO 95/25530
- 52. WO 95/25739
- 53. WO 96/26214
- 54. WO 97/31017
- 55. WO 98/10780

- 56. WO 98/17783
- 57. WO 97/44475
- 58. WO 99/61034
- 59. WO 99/50292
- 60. WO 99/27101
- 61. WO 97/20575
- 62. WO 96/40955
- 63. WO 96/30534
- 64. WO 92/10578
- 65. WO 95/27044
- 66. WO 95/31565
- 67. WO 98/15636
- 68. WO 92/11354
- 69. WO 94/01533
- 70. WO 94/19482
- 71. WO 92/11361\
- 72. WO 88/06626
- 73. WO 90/00594
- 74. WO 91/13157
- 75. WO 92/01796
- 76. WO 92/21376
- 77. EP 584266
- 78. WO 92/19266
- 79. WO 98/04727

### **Other Documents:**

- 80. Van der Bruggen, P., Science 254:1643 (1991)
- 81. Kawakami, et al., *J Immunol* 154:3961-3968 (1995)
- 82. Kawakami, et al., *J Exp Med* 180:347-352 (1994)

- 83. Castelli, et al., *J Exp Med* 181:363-368 (1995)
- 84. Wang, et al., *J. Exp Med* 186:1131-1140 (1996)
- 85. Wolfel, et al., Eur J Immunol 24:759-764 (1994)
- 86. Rogner, et al., Genomics 29:729-731 (1995)
- 87. Boel, et al., Immunity 2:167-175 (1995)
- 88. Van den Eynde, et al., *J Exp Med* 182:689-698 (1995)
- 89. Gaugler, et al., *Immunogenetics* 44:323-330 (1996)
- 90. Theobald, et al., Proc Natl Acad Sci USA 92:11993-11997 (1995)
- 91. Fisk, et al., *J Exp Med* 181:2109-2117 (1995)
- 92. Kwong, et al., *J Natl Cancer Inst* 85:982-990 (1995)
- 93. Jerome, et la., *J Immunol* 151:1654-1662 (1993)
- 94. Ioannides, et al., *J Immunol* 151:3693-3703 (1993)
- 95. Takahashi, et al., *J Immunol* 153:2102-2109 (1994)
- 96. Xue, et al., The Prostate 30:73-78 (1997)
- 97. Israeli, et al., Cancer Res 54:1807-1811 (1994)
- 98. Zaremba, S., et al., Cancer Res 57:4570-4577 (1997)
- 99. Tsang, K.T., et al., J Int Cancer Inst 87:982-990 (1995)
- 100. Valmori, D., et al., *J Immunol* 164:1125-1131 (2000)
- 101. Eura, M., et al., Clinical Cancer Research 6:979-986 (2000)
- 102. Heidecker, et al., J Immunol 164:6041-6045 (2000)
- 103. Tartaglia, et al., Virology 188:217 (1992)
- 104. Tartaglia, et al., *J Virol* 67:2370 (1993b)
- 105. Taylor, et al., Virology 187:321 (1992)
- 106. Matlashewski, et al., EMBO J 3(13):3257-3262 (1984)
- 107. Zakut-Houri, et al., EMBO J 4(5):1251-1255 (1985)
- 108. Harlow, et al., Mol Cell Biol 5(7):1601-1610 (1985)

An Office Action on the merits has been received for the subject application. Accordingly, the undersigned hereby requests the requisite fee for submission of this supplemental information disclosure statement be charged to Deposit Account No. 50-0244.

Respectfully Submitted,

AVENTIS PASTEUR INC.

Date: 2/05/02

By:

Patrick J. Halloran Reg. No. 41,053

U.S. Department of Commerce Patent and Trademark Office

# SUPPLEMENTAL INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

Atty. Docket No. 13115

Serial No. 09/693,754

Applicant: Berinstein, N.; Tartaglia, J.; Moingeon, P.; Bates, B.

Filing Date: October 20, 2000

Group: 1632

U.S. PATENT DOCUMENTS

	U.S. PATENT DOCUMENTS					S S I		
Examiner Initial		Document Number	Date	Name	Class	Subcrass	Filing	
	1	5,348,887	September 20, 1994	Bumol, TF; Gadski, RA; Hamilton, AE; Sportsman, JR; Strand, J	435	320.1	11/13/92	
	2	5,869,445	February 9, 1999	Cheever, MA; Disis, ML	514	2	4/1/96	
	3	5,994,132	November 30, 1999	Chamberlain, JS; Kumar-Singh, R	435	369	10/23/96	
	4	5,932,210	August 3, 1999	Gregory, RJ; Wills, KN; Maneval, DC	424	93.2	10/28/97	
	5	6,057,158	May 2, 2000	Chamberlain, JS; Hartigan-O'Connor, DJ	435	456	5/18/99	
	6	5,792,462	August 11, 1998	Johnston, RE; Davis, NL; Smith, JF; Pushko, P; Parker, M; Ludwig, F	424	199.1	5/23/95	
	7	5,739,026	April 14, 1998	Garoff, H; Liljestrom, P	435	240.2	12/12/91	
-	8	5,843,723	December 1, 1998	Dubensky Jr, TW; Polo, JM; Ibanez, CE; Chang, SMW; Jolly, DJ; Driver, DA; Belli, BA	435	69.3	10/30/96	
	9	5,789,245	August 4, 1998	Dubensky Jr, TW; Polo, JM; Ibanez, CE; Chang, SMW; Jolly, D.J; Driver, DA	435	320.1	10/30/96	
	10	5,762,938	June 9, 1998	Paoletti, E; Perkus, ME; Taylor, J; Tartaglia, J; Norton, Ek; Riviere, M; de Taisne, C; Limbach, KJ; Johnson, GP; Pincus, SE; Cox, WI; Audonnet, JF; Gettig, RR	424	199.1	8/21/96	
	11	5,378,457	January 3, 1995	Paoletti, E; Tartaglia, J	424	205.1	12/16/91	
	12	5,494,807	February 27, 1996	Paoletti, E. Perkus, ME; Taylor, J; Tartaglia, J; Norton, EK; Riviere, M; de Taisne, C; Limbach, KJ; Johnson, GP; Pincus, SE; Cox, WI; Audonnet, JF; Gettig, RR	435	69.3	8/12/93	
	13	5,505,941	April 9, 1996	Paoletti, E	424	93.2	7/22/92	
	14	5,756,103	May 26, 1998	Paoletti, E; Perkus, ME; Taylor, J; Tartaglia, J; Norton, EK; Riviere, M; de Taisne, C; Limbach, KJ; Johnson, GP; Pincus, SE; Cox, WI; Audonnet, JF; Gettig, RR	424	199.1	6/1/95	
	15	5,833,975	November 10, 1998	Paoletti, E; Tartaglia, J; Cox, WI	424	93.2	1/19/94	
	16	5,990,091	November 23, 1999	Tartaglia, J; Cox, WI; Gettig, RR; Martinez, H; Paoletti, E; Pincus, SE	514	44	3/12/97	
	17	5,756,103	May 26, 1998	Paoletti, E; Perkus, ME; Taylor, J; Tartaglia, J; Norton, EK; Riviere, M; de Taisne, C; Limbach, KJ; Johnson, GP; Pincus, SE; Cox, WI; Audonnet, JF; Gettig, RR	424	199.1	6/1/95	
	18	5,185,146	February 9, 1993	Altenburger, W	424	89	1/4/89	
	19	5,364,773	November 15, 1994	Paoletti, E; Perkus, ME	435	69.1	3/24/93	
	20	4,769,330	September 6, 1988	Paoletti, E; Panicali, D	435	172.3	12/24/81	
	21	4,722,848	February 2, 1988	Paoletti, E; Panicali, D	424	89	6/19/84	
	22	4,603,112	July 29, 1986	Paoletti, E; Panicali, D	435	235	12/8/82	

**Examiner** 

**Date Considered** 

#### partment of Commerce Patent and Trademark Office

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Form PTO-1449			U.S. Separtment of Comm Patent and Trademark O		Atty. Docket No. 13115	Serial N	lo. 09/693,754	
	SUPP	PLEMENTAL INFORMATION STATEMENT BY APP						
				Applicant: Berinstein, N.; Tartaglia,	J.; Moingeor			
					Filing Date: October 20, 2000	Group:	1632 FEE	BII ZOUZ
	·	T	U.S. PAT	TENT I	DOCUMENTS		ECH CENT	EP 1600/0
Examiner Initial		Document Number	Date	Name		Class	Subclass	Filing Date
	23	5,110,587	May 5, 1992	Pao	letti, E; Panicali, D	424	89	6/14/90
	24	5,174,993	December 29, 1992	Pao	letti, E	424	89	6/14/90
	25	4,882,278	November 21, 1989	Mek	calanos, JJ	435	172.3	4/29/83
	26	5,698,530	December 16, 1997	Sch	lom, J; Kantor, JA	514	44	7/1/94
	27	5,874,560	February 23, 1999	Kaw	vakami, Y; Rosenberg, SA	536	23.5	4/22/94
	28	5,342,774	August 30, 1994	Boo	n, T., et al.	435	240.2	12/12/91
	29	6,235,525	May 22, 2001		den Eynde, B; Vander Bruggen, P; n-Falleur, T	435	325	3/26/93
	30	5,831,016	November 3, 1998	War	ng, RF; Rosenberg, SA	530	350	10/4/96
		<del>† : </del>	July 4, 2000	War	ng, RF; Rosenberg, SA	435	6	9/28/98
	31	6,083,783	July 4, 2000	1	J,, ,			1 1

**FOREIGN PATENT DOCUMENTS** 

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	33	WO 98/14464	4/9/98	PCT			Х
	34	WO 95/29193	11/2/95	PCT			Х
	35	WO 97/34613	9/25/97	PCT			Х
	36	WO 98/33810	8/6/98	PCT			Х
	37	WO 99/19478	4/22/99	PCT			Х
	38	WO 98/58951	12/30/98	PCT			Х
	39	WO 98/02538	1/22/98	PCT			Х
	40	WO 97/29195	8/14/97	PCT			Х
_	41	WO 96/21734	7/18/96	PCT			Х
-	42	WO 97/11669	4/3/97	PCT			Х
	43	WO 97/34613	9/25/97	PCT			Х
	44	WO 98/33810	8/6/98	PCT			Х
	46	WO 95/23234	8/31/95	PCT			Х
	46	WO 97/26535	7/24/97	PCT			Х
	47	WO 97/15597	5/1/97	PCT			X

**Examiner** 

**Date Considered** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.

partment of Commerce Patent and Trademark Office Atty. Docket No. 13115

Serial No. 09/693,754

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant: Berinstein, N.; Tartaglia, J.; Moingeon, P.; Barber, B.

Filing Date: October 20, 2000

Group: 1632

		FOREIGN PATENT DOCUMENTS				< B 0		
		Document Number	Date	Country	Class	Cubalana	Translation No	
	48	WO 96/40754	12/19/96	PCT		3	PYes No X	
7	49	WO 99/18206	8/5/99	PCT		1 2		
	50	WO 95/04542	2/16/95	PCT	-		×	
	51	WO 95/25530	9/28/95	PCT			X	
	52	WO 95/25739	9/28/95	PCT			Х	
	53	WO 96/26214	8/29/96	PCT			Χ.	
	54	WO 97/31017	8/28/97	PCT			Х	
-	55	WO 98/10780	3/19/98	PCT			X	
	56	WO 98/17783	4/30/98	PCT			Х	
	57	WO 97/44475	11/27/97	PCT			X	
	58	WO 99/61034	12/2/99	PCT			X	
	59	WO 99/50292	10/7/99	PCT			X	
	60	WO 99/27101	6/3/99	PCT			х	
	61	WO 97/20575	6/12/97	PCT			×	
	62	WO 96/40955	12/19/96	PCT			X	
	63	WO 96/30534	10/3/96	PCT			X	
	64	WO 92/10578	6/25/92	PCT			X	
	65	WO 95/27044	10/12/95	PCT			Х	
	66	WO 95/31565	11/23/95	PCT			Х	
	67	WO 98/15636	4/16/98	PCT			<u> </u>	
	68	WO 92/11354	7/9/92	PCT			. X	
	69	WO 94/01533	1/20/94	PCT			X	
	70	WO 94/19482	9/1/94	PCT			X	
	71	WO 92/11361	7/9/92	PCT			Х	
	72	WO 88/06626	9/7/88	PCT			×	
	73	WO 90/00594	1/25/90	PCT			X	
	74	WO 91/13157	9/5/91	PCT			Х	
	75	WO 92/01796	2/6/92	PCT			X	
	120							

**Examiner** 

**Date Considered** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.

#### U.S. Separtment of Commerce Patent and Trademark Office

## erce Atty. Docket No. 13115

Serial No. 09/693,754

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant: Berinstein, N.; Tartaglia, J.; Moingeon, P.; Barber, B.

Filing Date: October 20, 2000

Group: 1632

<sup>32</sup> 오 귀

#### FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass
76	WO 92/21376	12/10/92	PCT		£ 2 ×m
77	EP 584266	3/2/94	EPO		
78	WO 92/19266	11/12/92	PCT		X
79	WO 98/04727	2/5/98	PCT		

	OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.
80	Van der Bruggen, P., <i>Science</i> 254:1643 (1991)
81	Kawakami, et al., <i>J Immunol</i> 154:3961-3968 (1995)
82	Kawakami, et al. <i>J Exp Med</i> 180:347-352 (1994)
83	Castelli, et al., <i>J Exp Med</i> 181:363-368 (1995)
84	Wang, et al., <i>J Exp Med</i> 186:1131-1140 (1996)
85	Wolfel, et al., Eur J Immunol 24:759-764 (1994)
86	Rogner, et al., <i>Genomics</i> 29:729-731 (1995)
87	Boel, et al., Immunity 2:167-175 (1995)
88	Van den Eynde, et al., <i>J Exp Med</i> 182:689-698 (1995)
89	Gaugler, et al. Immunogenetics 44:323-330 (1996)
90	Theobald, et al., <i>Proc Natl Acad Sci USA</i> 92:11993-11997 (1995)
91	Fisk, et al., <i>J Exp Med</i> 181:2109-2117 (1995)
92	Kwong, et al., J Natl Cancer Inst 85:982-990 (1995)
93	Jerome, et al., <i>J Immunol</i> 151:1654-1662 (1993)
94	Ioannides, et al, <i>J Immunol</i> 151:3693-3703 (1993)
95	Takahashi, et al., <i>J Immunol</i> 153:2102-2109 (1994)
96	Xue, et al., <i>The Prostate</i> 30:73-78 (1997)
97	Israeli, et al., <i>Cancer Res</i> 54:1807-1811 (1994)
98	Zaremba, S., et al., Cancer Research 57:4570-4577 (1997)

	X				

**Date Considered** 

#### U.S. Department of Commerce Patent and Trademark Office

### Atty. Docket No. 13115

Serial No. 09/693,754

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant: Berinstein, N.; Tartaglia, J.; Moingeon, P.; Barber, B.

Filing Date: October 20, 2000

Group: 1632

	OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.	P.F.
99	Tsang, K.T., et al., <i>J Int Cancer Inst</i> 87:982-990 (1995)	NT.
100	Valmori, D., et al., <i>J Immunol</i> 164:1125-1131 (2000)	- 1 m
101	Eura, M., et al., Clinical Cancer Research 6:979-986 (2000)	2002
102	Heidecker, et al., <i>J Immunol</i> 164:6041-6045 (2000)	EB 1 1 2002 WTER 1600/2900
103	Tartaglia, et al., <i>Virology</i> 188:217 (1992)	<u> </u>
104	Tartaglia, et al., <i>J. Virol</i> 67:2370 (1993b)	
105	Taylor, J., et al., <i>Virology</i> 187:321 (1992)	
106	Matlashewski, et al., <i>EMBO J</i> 3(13):3257-3262 (1984)	
107	Zakut-Houri, et al., <i>EMBO J</i> 4(5):1251-1255 (1985)	· · · · · · · · · · · · · · · · · · ·
108	Harlow, et al., <i>Mol Cell Biol</i> 5(7):1601-1610 (1985)	

**Examiner** 

**Date Considered** 

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.